

RESOLUTION HONORING MICKEY FLEMING AS FEMALE SENIOR
NO. 04-121 OF THE YEAR FOR 2004

4. RESOLUTION to commend and thank Linda Stowe upon her retirement for 29 years service to the County of Calaveras - continued to meeting of June 7, 2004

5. RESOLUTION APPROVING AWARD OF CALIFORNIA BOATING SAFETY
NO. 04-122 AWARD OF CALIFORNIA BOATING SAFETY AND ENFORCEMENT
PROGRAM REVENUES FOR FY 2004/2005

6. RESOLUTION AMENDING RESOLUTION NO. 03-328, A RESOLUTION
NO. 04-123 APPOINTING AND ESTABLISHING COMPENSATION OF
CHIEF PROBATION OFFICER PURSUANT TO OFFER OF
EMPLOYMENT

7. RESOLUTION AUTHORIZING TEMPORARY WORKING OUT OF CLASS
NO. 04-124 ASSIGNMENT FOR ROBERT SELLMAN

10. MINUTE ORDER approving payment of \$7,994.90 to Gold Star Plumbing for materials associated with emergency repairs to the Government Center water line.

11. MINUTE ORDER authorizing refund of fees in the amount of \$1,050.00 to Alice Olmstead regarding land use application 2003-2004.

13. MINUTE ORDER authorizing Chair to execute Standard Agreement 04-0135 between Calaveras County and the California Department of Food and Agriculture, Petroleum Program, not to exceed \$1,725.00 for reimbursement of certain activities related to the statewide Petroleum Program for fiscal year 2004/2005.

14. MINUTE ORDER authorizing the Chair to execute Standard Agreement 04-0088 between Calaveras County and the California Department of Food and Agriculture, Weighmaster Program, not to exceed \$750.00 for reimbursement of certain activities related to the statewide Weighmaster Program for Fiscal Year 2004-05.

Chair Tryon asked to have fifteen seconds of silence in memory of Stan Perry former Public Works employee.

8. ADMINISTRATION (04-19, I, 90)

Supervisor Callaway stated that she pulled this item to amend the wording of the Resolution to state that the County of Calaveras " supports " not " is requested to support" a narrow exemption to the existing prevailing wage law concerning volunteerism California.

Motion made to approve the following Resolution, as amended.

Moved: Callaway Second: Stein Approval: Unanimous

RESOLUTION SUPPORTING A NARROW EXEMPTION TO
NO. 04-125 THE EXISTING PREVAILING WAGE LAW

Supervisor Callaway commended staff for the work that was done to complete this study.

Motion made to approve the following Resolution for a County Public Finance Policies and procedures and formation of a Debt Advisory Committee.

Motion: Callaway Second: Their Approval: Unanimous
RESOLUTION APPROVING " COUNTY OF CALAVERAS
NO. 04-130 PUBLIC FINANCE POLICIES AND PROCEDURES"
AND THE FORMATION OF A DEBT ADVISORY
COMMITTEE

23. ADMINISTRATION (04-19, II, 3047)

CAO Mitchell gave background information on this Agenda Item requesting that the Board approve a termination of Worker's Compensation coverage for the Calaveras County Fire Districts. The districts were given five (5) years to obtain their own coverage and this time has been extended for an additional two (2) years. The County has not been successful in being able to find a way to continue this coverage. Statistics were quoted on claims that have been made and are still open which puts the County in a position of exposure.

To date some of the districts have gotten their own coverage. Letters have gone to the Districts that have still not been able to obtain their own coverage on May 14, 2004 and this information was also faxed to all the fire chiefs.

Supervisor Erickson stated information given to her by Dick McCarty of Copperopolis Fire Department that has not been covered by the county and is requesting a lump sum since they have obtained their own coverage. The district felt the arrangements had been made previously to give this sum to the districts that had gotten their insurance while the County continued to pay for the districts that had not gotten their own coverage.

Chair Tryon is reluctant to give lump sums to fire districts that have gotten their own insurance. Our Workman's Compensation claims for the fire districts is high and there is not any way to monitor the hiring, training and supervision in the field. He asked if we had agreed to this when we continued to cover the districts that have gone past the original five years they were given to obtain coverage. Direction was given to CAO Mitchell to obtain information on what districts and the amount of money involved.

The time was then turned over for public comment.

Don Maddock feels fire protection was a prime duty of the County. Asked if this compensation was part of a state program. Asked for confirmation about the contract with CDF for dispatch services

Motion was made to approve a MINUTE ORDER approving a termination of Worker's Compensation coverage with the Calaveras County Fire Districts effective July 1, 2004.

Motion: Stein Second: Erickson Approval: Unanimous

24. ADMINISTRATION (04-19, II, 2445)

CAO Mitchell stated due to the relocation of the Building and Planning Departments and the District Attorney space as they are moved to the modular will become available for other departments. A prior capitol project to increase

26. COUNTY COUNSEL/COG (04-19, II, 2500 Cont'd on 04-019 A, I)

Chair Tryon has requested this agenda item be discussed to terminate Joint Powers of Agreement between the County of Calaveras and the City of Angels establishing the Calaveras Council of Governments. He wants to ensure that there is more citizen protection and feels the county is not being effectively represented; discussion followed:

Supervisor Callaway asked for clarification on the County's responsibility and questioned Chair Tryon on his vote for this Agreement in December 1997.

Chair Stein stated he had advocated for this Agreement.

Chair Tryon wants to terminate the Agreement and enter into one with the City of Angels to be able to have a voice on transportation issues. There may be a possibility of rewriting the COG Agreement or have a Study Session to look address this issue.

County Counsel Jones stated in the Agreement with the City of Angels either party can terminate this at any time.

The time was then turned over for public comment.

Roger Mueller expressed concern and displeasure to end this agreement and wants the public transit to continue being associated with Council of Governments.

Bob Lietzell has concerns since prior to COG there was constant disagreement between the County and the City of Angels on the operations of the LTC.

Alice Raine would like the Board to keep the association with COG as they are knowledgeable in what works and that there would not be proper representation on an LTC as the public would not have input.

At this time Chair Tryon read Agenda Item 27 into the record as the two Resolutions relate to each as follows:

This Resolution would terminate the agreement between Calaveras County and the Calaveras Council of Governments for the management of public transit and related services.

George Dondero Executive Director Calaveras Council of Governments, discussed the perception of the County representation with COG. Evaluation has been conducted of the system with an outreach survey of registered voters, workshops and the goals updated. He feels COG is more successful with transit since there is more visibility and representation in Sacramento. Relations outside of the County is critical and an LTC does not have this background. As a the Director of COG he has worked hard to make the best decisions. Feels other options should be pursued before dissolving this Agreement. Accomplishments were stated such as the completion of the RIM Program, update required transportation plan for 2001, grants, Ebbetts Pass scenic By-Way Plan, bartering with CalTrans, partnering with CSAC and RCRC in Sacramento. If a change is made to convert to an LTC there is a possibility of tie votes again, a loss of standing in Sacramento, new projects would be jeopardized. Feels more would be lost than gained by making this change. Whatever direction is taken staff would still be needed to oversee this operation. The Transportation Development Act (TDA) will still rule over how the transportation funds are spent. By TDA standards our transit system is a success. Ridership gains are 30 per cent or more with records broken four months for this fiscal year. He feels more funding sources need to be secured for roads The Rim program is a beginning but there are others to procure. Since the County is one of the fastest growing Counties in the State, good strong transportation planning is needed. Dondero will continue as director of either the COG or LTC. He feels that an entity that is just focusing on transportation could be the best plan for the County.

Michelle Plotnick, public member of COG, clarified that COG is not just concerned

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with transit. The conflict that has happened over how transit should be funded and to what extent transit is provided. The legislature for the State is determining what can be done with the money and transit is the first priority. She feels in her role on the COG Board that she has to vote on the most efficient use of funds along with the best possible service. It is felt that the County is very well represented. COG is active with CalTrans in promotion of projects and being very proactive.

Supervisor Stein, supports the Board Chairs right to place this agenda item on this meeting for discussion. Wants the County to be more a part of the running of COG and thinks that some of the current COG Board would like more control taken away from the Board of Supervisors. Stein tries to be a part of doing the best service without spending more money than feels necessary to complete the task. Stein feels that he makes decisions on what is best for the community and this voice is not being heard on the COG Board at this time. At present time this board is made up of 7 members, which are district groups of which 3 are non elected and are not directly accountable to the public. Stein feels with the COG Board having public representatives, 3 public members could side with representatives from City of Angels and in voting this can take the Board of Supervisors out of the decision making body. Feels he has lost the authority that he has been given by the electorate.

Supervisor Thein wants to continue using COG. Thein feels public transportation is imperative. She does not want to put this job on County Departments that already have too many other responsibilities.

Supervisor Callaway would have liked to have had a Study Session on this issue. Callaway feels is very important to have public members on the COG Board as this enriches the process. Feels that the LTF funds are for transit and the funds for roads needs to come from other sources. She does not support making this change unless Study Sessions are held to determine that COG is not meeting the needs of Calaveras County and the City of Angels.

Supervisor Erickson stated there were several areas on the JPA that would like to have changed through Study Sessions. She would like to see transit separate from the COG but does not want see a transit system end.

Supervisor Callaway asked Dondero for clarification on the separation of COG. Dondero responded that it could be staffed under an existing department, a separate transit district that operates like the COG but only makes decisions about transit that could have public members and would be a JPA.

Chair Tryon would like to have changes made, has concerns about the revised Agreement, would like to have restructuring and a deadline for this, terminate the agreement, move forward to have the issues resolved to be able to enter negotiations with the City of Angels. This gives six (6) months to have a Study Session and get everything completed.

Supervisor Stein understands that by canceling the contract this exercises the option for revocation by starting the fourteen(14) month time frame. If what was wanted was negotiations, would it be necessary to terminate the Agreement.

Chair Tryon feels the County would be in a better position and would make the process happen in a more timely manner.

Supervisor Thein questioned what is being negotiated and how George Dondero feels about this subject.

Supervisor Stein feels there needs to be discussions. He feels that with transit not being part of COG will it be beneficial to that agency as there are other areas of responsibilities.

Municipal Consultants for Tuscany Hills Project along with a budget transfer in the amount of \$3,395.00 from the Land Use designated fund to Planning Department line item 5413 for the County portion of the contract amount.

Moved: Erickson Second: Stein Approval:
Unanimous

29. ADMIN./SUPERVISORS/BUDGET (04-19, A, I, 2120)

a) CAO Tom Mitchell, referred to the May Revise Summary from CSAC stating the former amount of reduction from the State was \$960,000. The current proposal is \$367,000. There has been discussion for future payments of the SB-90 claim money. He will be attending a CAO meeting in Sacramento on Wednesday with CSAC and RCRC to go over the points of discussion as there are more details involved. Administration will be bringing an Agenda Item before the Board to support the new coalition between the Governor's Office and CSAC regarding the initiative for the November ballot. In the May Revise the Health Dept. status appears to be alright, however there are some concerns with CalWORKS and Tanif. In reading the Summary, it becomes necessary to refer to January release from the Governor to understand the results of the Revise. County department Budget discussions are going well with the exception of CalWORKS regarding the amount of General Fund dollars that are to be committed as it relates to the bottom line in the budget. An updated report will be given at the May 24, 2004 Board of Supervisors meeting.

b) Supervisor Callaway, requested CAO Mitchell to schedule a meeting with State Child Support concerning the \$300,000 from the State Dept. of Finance that could possibly be scheduled on June 17, 2004 at the regular JPA meeting for Family support.

c) CAO Mitchell, asked for support to join the Calaveras Chamber of Commerce and will include in the Budget review.

30. CORRESPONDENCE/SUPERVISORS/STAFF (04-19, A, I, 2300)

a) Supervisor Thein, on Wednesday will attend a meeting at the Moose Lodge in Valley Springs for the Business Assoc. The speaker will be from Valley Springs Gold Creek Estates; Wednesday afternoon Calaveras Adult Tutoring; Friday Volunteer lunch for the Mtn Oaks School; Saturday and Sunday at the Relay for Life Cancer Walk at Bret Harte High School.

b) Supervisor Erickson, Tuesday will be meeting with Lloyd Griffin Century 21 Real Estate and Monica Dolan regarding RIM fee issues; Tuesday evening at the CVB Mixer at Melones; Wednesday will have Jury duty or Leadership Calaveras; Wednesday evening COG; Thursday and Friday will attend land class financial aspects of planning at UC Davis; Saturday will be at Homeowners Assoc. in Copperopolis to assist in counting votes for their election.

c) Supervisor Stein, gave a very positive report on Legislative Action Days that was held last week in Sacramento concerning the State budget May revise. Recommends that an eye needs to be kept on the many hidden items as there could be hidden cost shifts. Tonight will attend a LAFCO meeting; Tuesday CVB Mixer at Melones; Wednesday an Indian Gaming Conference in Sacramento; Thursday Executive CSAC Board meeting in Sacramento; Friday along with an Assemblymen will visit HRC; Saturday May 22-May 28, 2004, will attend the Western Interstate Regional Conference/NACO will not be in attendance for Monday May 24, Board of Supervisors meeting; June 8th will attend Budget hearings but unable to attend June 9-10;

- d) Supervisor Callaway, Tuesday CVB Mixer at Melones; Wednesday will attend CAMRA for Supervisor Stein; Wednesday evening a COG meeting for Supervisor Stein; Thursday Mokelumne River Basin meeting; May 21, 2004 Logging Museum meeting with staff; week-end Relay for Life Cancer Walk.
- e) Chair Tryon, tonight a LAFCO meeting; Wednesday will attend an RCRC meeting; requested a meeting with Building Department Official Ray Waller to set up a Study Session concerning the RIM fee and that the Boards intent is being met. The date for the Study Session is June 14, 2004.
- f) CAO Mitchell, ; Tuesday Mitchell and Supervisor Thein will meet with the Historical Society's regarding the Grand Opening in July of the Red Barn Museum; Wednesday in Sacramento for a CAO Assoc.; Prop 40 Study Session has been rescheduled for June 7, 2004; at Chair Tryon's request CAO Mitchell will confirm in writing with Mark Twain School superintendent that their request for state grant was denied releasing our obligation for matching funds. Supervisor Callaway requested Mitchell obtain information from the State regarding the status of the sale of the bonds which may make the meeting unnecessary as the funds would not be available.

ADJOURNMENT/CLOSED SESSIONS

There being no further business requiring action this day, the meeting was adjourned to the following closed sessions to reconvene for a Regular Board of Supervisors meeting at 10:00 a.m. on Monday, May 24, 2004.

31. CLOSED SESSION/COUNTY COUNSEL

A CLOSED SESSION was held with legal counsel, under Government Code Section 54956.9(a); Tuolumne County v. Calaveras County, Calaveras County Superior Court, CVC 40295; Board action: nothing to report.

32. CLOSED SESSION/COUNTY COUNSEL/ADMIN.

A CLOSED SESSION was held pursuant to Government Code Section 54957, personnel matter, Public Works Director recruitment; Board action: this position has been offered to Rob Houghton, currently serving as interim director. Mr. Houghton has accepted this position.

Thomas M. Tryon ATTEST:
CHAIR

Karen Varni
CLERK

C O R R E S P O N D E N C E

THE BOARD MAY TAKE ACTION ON THE FOLLOWING ITEMS OF CORRESPONDENCE:

APRIL 30, 2004

1. From: ADP Youth Treatment re: Youth Treatment Ed. Forums; Action: Individual copies to the Board
2. From: Sierra Business Council re: Open Space Toolkit; Action: Board
3. From: RCRC re: The Barbed Wire; Action: Board
4. From: Central Sierra Planning Council re: May 5th meeting; Action: Supervisor Callaway
5. From: CSAC re: 110th Annual meeting; Action: Supervisor Tryon
6. From: Central Sierra RC&D re: May 12th meeting; Action: Board

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7. From: West Point News re: May Issue; Action: Individual copies to the Board
8. From: American City & County re: April Issue; Action: Supervisor Erickson
9. From: WALF Headquarters re: Fire season; Action: Board
10. From: Area 12 Agency on Aging re: May 5th meeting; Action: Supervisors Callaway and Erickson
11. From: Air Resources Board re: Regulations; Action: Supervisor Tryon
12. From: Common Ground Senior Services re: Home delivered meals; Action: Supervisor Callaway
13. From: Dept. of Forestry re: Timber harvesting of El Dorado & Amador Counties; Action: Supervisor Callaway and Stein
14. From: CSAC re: Annual meeting; Action: Supervisor Tryon
15. From: Dept. of Alcoholic Beverage Control re: Boyett Petroleum; Action: Supervisor Erickson, planning
16. From: City of Temecula re: Opposition to SB 744; Action: Supervisor Tryon
17. From: State Board of Equal. re: Change in ownership and new construction; Action: Filed
18. From: Area 12 Agency on Aging re: April budget revisions; Action: Supervisor Callaway
19. From: Area 12 Agency on Aging re: May 5th meeting; Action: Supervisor Erickson

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20. From: ALERT re: April 30th Issue; Action: Supervisors Tryon and Stein
21. From: State Board of Equal. re: Notice of Public Hearing; Action: Filed

MAY 5, 2004

22. From: CSAC re: AB1457; Action: Supervisor Callaway
23. From: Ron Massei re: Lake Tulloch Task Force; Action: Supervisor Erickson
24. From: Frogtown re: Invitation; Action: Individual copies to the Board
25. From: CSAC re: Legislative Bulletin; Action: Individual copies to the Board
26. From: County News re: April 26th Issue; Action: Supervisors Thein, Tryon and Callaway
27. From: The California Wellness Foundation re: Keeping Youth Safe; Action: Individual copies to the Board

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- 28. From: Linda Silva re: Resignation from Copper Cemetery Board; Action: Supervisor Erickson
- 29. From: Dept. of Forestry re: Timber Harvesting of Plan No. 4-04-11/CAL-1; Action: Supervisor Callaway, Stein and post
- 30. From: Legal Alert re: Legal Alert Bulletin; Action: Board
- 31. From: The California Endowment re: Health in Brief; Action: Individual copies to the Board

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- 32. From: Calaveras Relay for Life re: American Cancer Society; Action: Supervisor Tryon
- 33. From: CSDA News re: April Issue; Action: Supervisor Tryon
- 34. From: CSAC re: Briefing Materials; Action: Supervisor Stein
- 35. From: CSAC re: Annual Meeting; Action: Supervisor Stein
- 36. From: Stanislaus National Forest re: Recreation season update; Action: Board